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7 SEAN MELODY,

Plaintiff,

8 v.

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10 WARDEN JAMES HILL,

11 Defendant.  
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Case No. 23-cv-06210-LJC

**ORDER TO SHOW CAUSE**

13 Petitioner Sean Melody, who is in custody, has filed a Petition for Writ of Habeas Corpus  
14 (Petition) pursuant to 28 U.S.C. § 2254. The Court has reviewed the Petition and concludes that it  
15 warrants a response. Accordingly, **IT IS HEREBY ORDERED** as follows:

16 (1) The Clerk of Court shall serve a copy of the Petition and this Order upon Respondent(s)  
17 and the Attorney General of the State of California. *See* 28 U.S.C. § 2254, Rule 4.

18 (2) Respondent(s) shall then file and serve an answer in accordance with 28 U.S.C. § 2254,  
19 Rule 5 and Habeas Corpus Local Rule 2254-6. Respondent(s) shall file with the answer  
20 and serve on Petitioner a copy of all portions of the underlying state criminal record that  
21 were previously transcribed and are relevant to the issues presented by the petition.

22 (3) Petitioner may serve and file a traverse responding to matters raised in the answer in  
23 accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6.

24 (4) Respondent(s) may file a motion to dismiss on procedural grounds in lieu of an answer, as  
25 set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254  
26 Cases. If such a motion is filed, Petitioner shall file with the Court and serve on  
27 Respondent(s) an opposition or statement of non-opposition within 28 days of the date the  
28 motion is filed, and Respondent(s) shall file with the Court and serve on Petitioner a reply

1 within 14 days of the date any opposition is filed.

2 **IT IS SO ORDERED.**

3 Dated: February 8, 2024

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6 LISA J. CISNEROS  
7 United States Magistrate Judge

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United States District Court  
Northern District of California